

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Title of Rule: Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations (210-RICR-40-00-3)

Rule Identifier: 210-RICR-40-00-3

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: August 31, 2023

End of Public Comment: September 30, 2023

Rulemaking Authority:

R.I. Gen. Laws § 42-35

R.I. Gen. Laws § 42-7.2

Title XIX of the Social Security Act

§1924 of the Social Security Act

§1917(f)(1) of the Social Security Act

§1917(c)(1)(E) of the Social Security Act

2023-H-520Aaa

Summary of Rulemaking Action:

Effective 7/1/23, as part of the FY2024 Budget as enacted, the RI legislature directed EOHHS to raise the state supplemental payment for personal needs allowance for institutionalized individuals from twenty dollars (\$20.00) to forty-five dollars (\$45.00). This raises the total personal needs allowance for institutionalized individuals (state and federal) from fifty dollars (\$50.00) to seventy-five dollars (\$75.00).

EOHHS is also updating regulatory language to replace dollar values with definitions and publishing information for the following: Monthly Federal Benefit Rates (FBR), Optional State Supplement Payment (SSP) Limits, Student Earned Income Exclusion (SEIE), Minimum and Maximum Monthly Maintenance of Need Allowance, Community Spouse Monthly Housing Allowance, Minimum and Maximum Community Spouse Resources, and the Minimum Home Equity Limit.

Finally, EOHHS is providing updated amounts that better reflect current costs of receiving services at private nursing facilities, intermediate care facilities, and long-term care hospitals.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until September 30, 2023 by contacting the appropriate party at the address listed below:

Kathryn Thomas
Executive Office of Health and Human Services
3 west rd.
Cranston, RI 02920
kathryn.thomas@ohhs.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

It is essential that regulation reflect the updated personal needs allowance values in order to ensure Medicaid beneficiaries living in institutions have access to the correct amount of money for their personal expenses.

The updates being made to the language for income and resource standards will help to ensure that when these values are updated there is a more efficient flow of information.

The updated private pay values more accurately reflect the costs of providing long term care which helps the state to make more accurate cost of care determinations.

For full regulatory analysis or supporting documentation contact the agency staff person listed above.